

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



July 5, 2002

CSSIN LETTER: 02-18

ALL IV-D DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL BOARDS OF SUPERVISORS

SUBJECT: CHILD SUPPORT WARNING NOTICES

The Child Support Warning Notice appraises NCPs on an annual basis that they may be subject to various offsets for unpaid child support obligations. The notice explains these various offsets and their right to due process.

Release of the Child Support Warning Notices will begin July 5, 2002, starting with Alameda County. The Office of State Printing will print 50,000 notices per week through the end of October, 2002. A copy of the schedule and the revised notice are attached for your information.

This year, the warning notice was revised to simplify the language and highlight the various means of offsets. Additionally, each NCP will receive a warning notice in English and Spanish. As you know, the mailings of these notices may prompt an increase in calls and correspondence to local child support agencies. We would like to thank you for your efficiency in handling this workload increase and welcome any suggestions you may have to improve the Child Support Warning Notice next year.

Any questions regarding the Child Support Warning Notices may be directed to Melanie Henderson at (916) 464-5519.

Sincerely,

JOAN OBERT
Assistant Deputy Director

Attachments

Reason for this Transmittal

- ☐ State Law or Regulation Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Change
- ☐ Clarification requested by One or More Counties
- ☒ Initiated by DCSS

DCSS-SY-2002-CTY-0344



DO YOUR PART TO HELP CALIFORNIA SAVE ENERGY
For energy saving tips, visit the DCSS website at
www.childsup.cahwnet.gov

ANNUAL NOTICE PROCESSING SCHEDULE 2002

Below are the *estimated* dates that Annual Warning Notices will be sent to the Office of State Printing for printing and mailing. It can take up to an additional week for the notices to be mailed to the NCPs. As requested, Los Angeles, Riverside, Sacramento, Orange, and San Diego notices are being sent out sporadically throughout this schedule.

Note: If an NCP has a case in more than one county, notices for both counties will be mailed on the same date. Example: If an NCP has a case in Alameda and Yuba, notices will go out for both Alameda and Yuba on July 5, 2002, for that specific NCP.

Week #	County #	County Names	Estimated date to Office of State Printing
1	01-07	Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa	07/05/02
2	07-10	Contra Costa, Del Norte, El Dorado, Fresno	07/12/02
3	10-13	Fresno, Glen, Humboldt, Imperial	07/19/02
4	13-19	Imperial, Inyo, Kern, Kings, Lake, Lassen Los Angeles	07/26/02
5	33,34	Riverside, Sacramento	08/02/02
6	19	Los Angeles	08/09/02
7	19-33, 37	Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange Placer, Plumas, Riverside, San Diego	08/16/02
8	19, 33-34	Los Angeles, Riverside, Sacramento	08/23/02
9	34-36	Sacramento, San Benito, San Bernardino	08/30/02
10	30, 36-37	Orange, San Bernardino, San Diego	09/06/02
11	37-43	San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara	09/13/02
12	43	Santa Clara	09/20/02
13	43-49	Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma	09/27/02
14	49-54	Sonoma, Stanislaus Sutter, Tehama, Trinity, Tulare	10/04/02
15	54-58	Tulare, Tuolumne, Ventura, Yolo, Yuba	10/11/02

CONTACT ADDRESS ABOVE

CHILD SUPPORT WARNING NOTICE

SSN
CASE ID#

PAST DUE AMOUNT OWED

The records of the local child support agency listed above show you are past due in paying child, family, or spousal support. The past due amount owed may be higher if additional amounts have been added or lower if you made a recent payment. If you fail to pay your obligation for current support in full and on time, any arrears accruing due to missed payments after the date of this notice will be added to your debt. All new and past due amounts will be subject to collection by the means listed below without further notice to you during the next 12 months. Contact the local child support agency listed above to determine any additional amounts owed after the date of this notice.

The local child support agency will update all past due amounts monthly and may add interest at the rate of 10 percent per year. Accrued interest may not be reflected in your past due amount owed balance. Any amount received by the local child support agency listed above in excess of the amounts owed will be refunded to you.

ADMINISTRATIVE OFFSET AND FEDERAL TAX REFUND OFFSET

The past due amount owed will be referred to the U.S. Treasury for collection. This means federal payments owed to you, including federal tax refunds, may be taken to pay current and past due support, related costs, and interest. Administrative Offset and Federal Tax Refund Offset is authorized by 31 United States Code section 3716, 42 United States Code section 664, 26 United States Code section 6402, and 45 Code of Federal Regulations section 303.72.

Filing IRS Form 8379 – Injured Spouse Claim and Allocation – together with IRS Form 1040 or IRS Form 1040A may protect your spouse from offset, if he or she has no legal responsibility for this debt. Follow the instructions on IRS Form 8379 when filing a tax return.

STATE TAX REFUND OFFSET

Your state tax refund will be taken to pay current and past due support, related costs, and interest. The California Franchise Tax Board will take any income tax refund you may be entitled to receive to pay these debts. Offsetting state tax refunds is authorized by 42 United States Code section 666(a), 45 Code of Federal Regulations section 303.102, and California Code of Civil Procedure sections 708.730, 708.780, and 708.795.

LOTTERY WINNINGS AND OTHER MONEY OWED TO YOU BY THE STATE

Any monies, including lottery winnings, owed to you by the State of California will be taken to pay current and past due support, related costs, and interest. This is authorized by California Government Code section 12419.5 and California Code of Civil Procedures sections 708.730 and 708.795.

PASSPORT DENIAL

The United States Secretary of State will refuse to issue a passport to you, and may revoke, restrict, or limit a passport previously issued to you, if you have ever owed more than \$5,000 in past due child support. This action is authorized by 42 United States Code section 652(k), 22 Code of Federal Regulations sections 51.70(a)(8) and 51.72(a).

CONTRACTS FOR SERVICES EARNING OFFSET

A portion of your earnings from services you provide as an independent contractor to individuals, businesses, or the State of California may be taken to pay for past due child support and interest. This is authorized by the California Family Code section 17400 and Article 5, Chapter 5, Part 10.2, Division 2, of the Revenue and Tax Code.

PERSONAL INJURY SETTLEMENTS AND WORKERS' COMPENSATION PAYMENTS

Any third party insurance claim benefits from personal injury settlements or workers' compensation payments may be withheld to pay for past due child support and interest. These actions are authorized by the California Code of Civil Procedure sections 704.160 and 708.410 and the California Family Code sections 5206 and 5246, respectively.

RIGHT TO ADMINISTRATIVE REVIEW

Immediately contact the local child support agency listed on the first page of this notice if you, or in the case of a joint tax refund, your spouse, disagree with anything in this notice. You must contact the local child support agency listed on the first page of this notice within 90 days after you receive this notice to be entitled to an administrative review. The ombudsperson will explain your rights and how you can have your case reviewed, including rights you may have to a state hearing or a review in superior court. Some possible reasons why you may disagree with this notice are: there is no judgment or order for you to pay support; the support amount(s) shown as past due is not correct; or you have filed for bankruptcy and the automatic stay is still in effect.

If your support order was not issued in California, you have the right to request that a review be conducted in the state that issued the order. At your request, the local child support agency listed on the first page of this notification will contact that state within 10 days after receiving your request for a review. You will be notified of the time and place of your administrative review by the state that issued the order.

A Child Support Warning Notice will be sent to you every 12 months as long as you owe past due support.

PLEASE KEEP THIS NOTICE FOR YOUR RECORDS